

REMARKS

This application has been reviewed in light of the Final Office Action of August 7, 2009. Claims 1, 4, 6-7, 9-10, 12-13, 16, 18-19, 21-22 and 24 are remain pending in this application. Claims 1, 4, 7, 13, and 19 have been amended to define still more clearly what Applicants regard as their invention, in terms that distinguish over the art of record. Claims 1 and 13 are in independent form. Favorable reconsideration is requested.

The Office Action rejected Claims 1, 4, 6, 13, and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,220,501 (*Lawlor et al.*) in view of U.S. Patent No. 4,864,497 (*Lowry et al.*), in view of U.S. Patent No. 4,321,672 (*Braun et al.*) in view of Official Notice, further in view of Official Notice (evidenced by *Lawlor et al.*).

Applicants submit that independent Claims 1 and 13, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

One notable feature of Claim 1 is to “select the automated teller machine control server native format from a plurality of automated teller machine control server native formats based on the data code, wherein each automated teller machine control server native format defines the arrangement of data to enable communications between the cash payment server and a predetermined automated teller machine control server.” By virtue of this feature, the point to point server is not required to communicate with an automated teller machine control server in the same native format. Instead, a cash payment server translates the payment request it receives from the point to point server into any one of several automated teller machine control server native formats.

The Office Action looks to *Lawlor et al.*, *Lowry et al.*, *Braun et al.* and Official Notice as teaching the request translation software previously recited in Claim 1, primarily arguing that it was known to reformat data for presentation on a display of an automated teller machine. Amended Claim 1 now clarifies that the translation of the payment request is not merely for reformatting the data processed by the automated teller machine, but instead advantageously permits previously disparate automated teller machine control servers to receive instructions from servers such as the peer to peer server without the two communicating in the same native format. This permits users to select from which automated teller machine payment is made.

Nothing has been found in *Lawlor et al.*, *Lowry et al.*, *Braun et al.* or the alleged Official Notice, that would teach, suggest, or otherwise result in the “select[ing]” feature discussed above with respect to Claim 1.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claim 13 is a method claim corresponding to apparatus Claim 1, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

The other claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons.

This Amendment After Final Action is believed clearly to place the present application in condition for allowance. Therefore, entry of this Amendment under 37 C.F.R. § 1.116 is believed proper and is respectfully requested, as an earnest effort to

advance prosecution and reduce the number of issues. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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